



House of Representatives

General Assembly

File No. 285

February Session, 2006

Substitute House Bill No. 5563

House of Representatives, March 31, 2006

The Committee on Education reported through REP. FLEISCHMANN of the 18th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING BULLYING POLICIES IN SCHOOLS AND NOTICES SENT TO PARENTS OR LEGAL GUARDIANS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-222d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2006*):

3 Each local and regional board of education shall develop a policy,
4 for use on and after February 1, 2003, to address the existence of
5 bullying in its schools. Such policy shall: (1) Enable students to
6 anonymously report acts of bullying to teachers and school
7 administrators and require students to be notified annually of the
8 process by which they may make such reports, (2) enable the parents
9 or guardians of students to file written reports of suspected bullying,
10 (3) require teachers and other school staff who witness acts of bullying
11 or receive student reports of bullying to notify school administrators,
12 (4) require school administrators to investigate any written reports
13 filed pursuant to subdivision (2) of this section and to review any

14 anonymous reports, (5) include an intervention strategy for school staff
15 to deal with bullying, (6) provide for the inclusion of language in
16 student codes of conduct concerning bullying, (7) require the parents
17 or guardians of students who commit any verified acts of bullying and
18 the parents or guardians of students against whom such acts were
19 directed to be notified, [and] (8) require each school to maintain a list
20 of the number of verified acts of bullying in such school and make
21 such list available for public inspection, and (9) direct the development
22 of case-by-case interventions for addressing repeated incidents of
23 bullying against a single individual or recurrently perpetrated bullying
24 incidents by the same individual that may include both counseling and
25 discipline. The notification required pursuant to subdivision (7) of this
26 section shall include a description of the response of school staff to
27 such acts and any consequences that may result from the commission
28 of further acts of bullying. For purposes of this section, "bullying"
29 means any overt acts by a student or a group of students directed
30 against another student with the intent to ridicule, harass, humiliate or
31 intimidate the other student while on school grounds, [or] at a school-
32 sponsored activity or on a school bus, which acts are repeated against
33 the same student over time. Such policies may include provisions
34 addressing bullying outside of the school setting if it has a direct and
35 negative impact on a student's academic performance or safety in
36 school.

37 Sec. 2. Section 10-15b of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective July 1, 2006*):

39 (a) Either parent or legal guardian of a minor student shall, upon
40 written request to a local or regional board of education and within a
41 reasonable time, be entitled to knowledge of and access to all
42 educational, medical, or similar records maintained in such student's
43 cumulative record, except that no parent or legal guardian shall be
44 entitled to information considered privileged under section 10-154a.

45 (b) The parent or legal guardian with whom the student does not
46 primarily reside shall be provided with all school notices that are

47 provided to the parent or legal guardian with whom the student
48 primarily resides. Such notices shall be mailed to the parent or legal
49 guardian requesting them at the same time they are provided to the
50 parent or legal guardian with whom the child primarily resides. Such
51 requests shall be effective for as long as the child remains in the school
52 the child is attending at the time of the request.

53 [(b)] (c) If any private or public school is served with a subpoena
54 issued by competent authority directing the production of school or
55 student records in connection with any proceedings in any court, the
56 school upon which such subpoena is served may deliver such record
57 or at its option a copy thereof to the clerk of such court. Such clerk
58 shall give a receipt for the same, shall be responsible for the
59 safekeeping thereof, shall not permit the same to be removed from the
60 premises of the court and shall notify the school to call for the same
61 when it is no longer needed for use in court. Any such record or copy
62 so delivered to such clerk shall be sealed in an envelope which shall
63 indicate the name of the school or student, the name of the attorney
64 subpoenaing the same and the title of the case referred to in the
65 subpoena. No such record or copy shall be open to inspection by any
66 person except upon the order of a judge of the court concerned, and
67 any such record or copy shall at all times be subject to the order of
68 such judge. Any and all parts of any such record or copy, if not
69 otherwise inadmissible, shall be admitted in evidence without any
70 preliminary testimony, if there is attached thereto the certification in
71 affidavit form of the person in charge of such records indicating that
72 such record or copy is the original record or a copy thereof, made in
73 the regular course of the business of the school, and that it was the
74 regular course of such business to make such record at the time of the
75 transactions, occurrences or events recorded therein or within a
76 reasonable time thereafter. A subpoena directing production of such
77 school or student records shall be served not less than eighteen hours
78 before the time for production, provided such subpoena shall be valid
79 if served less than eighteen hours before the time of production if
80 written notice of intent to serve such subpoena has been delivered to
81 the person in charge of such records not less than eighteen hours nor

82 more than two weeks before such time for production.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2006</i>	10-222d
Sec. 2	<i>July 1, 2006</i>	10-15b

ED *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
State Technical High Schools	GF - Cost	Minimal	Minimal

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 07 \$	FY 08 \$
Local and Regional School Districts	STATE MANDATE - Cost	Minimal	Minimal

Explanation

Requiring that school notices be provided to the parent or legal guardian that a student does not primarily reside with in addition to the parent or legal guardian the student primarily resides with results in a minimal cost to local and regional school districts due to postage costs.

Sections of the bill dealing with bullying issues result in no fiscal impact.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 5563*****AN ACT CONCERNING BULLYING POLICIES IN SCHOOLS AND NOTICES SENT TO PARENTS OR LEGAL GUARDIANS.*****SUMMARY:**

This bill broadens the law on bullying behavior in schools by:

1. expanding the definition of bullying,
2. enhancing schools' obligations to tell students how to report bullying, and
3. requiring interventions for students who repeatedly bully or are bullied.

The bill also requires schools to mail notices of bullying to the parent or guardian with whom the student does not primarily reside at the same time they mail them to the other parent or guardian.

EFFECTIVE DATE: July 1, 2006

BULLYING***Definition of Bullying***

Current law defines bullying as repeated, overt acts by one or more students on school grounds or at a school-sponsored activity that are intended to ridicule, humiliate, or intimidate another student. The bill expands the definition to include overt acts directed at another student with the intent to harass that student and also includes incidents that occur on a school bus.

Bullying Policies

The law requires all school boards to develop a policy addressing bullying that enables students to anonymously report acts of bullying

to teachers and school administrators. The bill requires students to be notified every year about how to make these reports. The bill also requires the policy to provide for case-by-case interventions to address (1) repeated bullying incidents against a certain person or (2) recurrent bullying by a certain person. The intervention methods may include counseling and discipline.

Under existing law, unchanged by the bill, each district's bullying policies must also:

1. enable parents or guardians to report bullying to teachers and school administrators,
2. require school staff who witness or receive reports of bullying to notify school administrators,
3. require school personnel to investigate anonymous reports,
4. include a strategy for school staff to intervene when they witness bullying,
5. include language in student codes of conduct about bullying,
6. provide notice to parents or guardians of bullying, and
7. require each school to keep a list of verified acts of bullying available for public inspection.

The bill allows the policies to include provisions addressing bullying outside the school setting if it has a direct and negative impact on a student's academic performance or safety in school.

SCHOOL NOTICES

The bill requires schools to simultaneously mail the same school notices they give to the parent or guardian with whom the student primarily resides to the other parent or guardian if he requests it. The mailing requirement remains in effect for as long as the student attends the school to which the original request is made.

BACKGROUND***Related Bill***

sSB 407 reported favorably by the Education Committee contains an identical school notice provision.

COMMITTEE ACTION

Education Committee

Joint Favorable

Yea 25 Nay 0 (03/10/2006)